



Kentucky Board of Medical Licensure Newsletter

Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222

Summer 2002

Danny M. Clark, M.D., President

Changes in Medical Practice Act Effective July 15, 2002

The 2002 Kentucky General Assembly passed legislation (HB617), which amended various provisions of the Medical Practice Act.

These changes will assist the Board in its ability to more timely and effectively discipline physicians and will require physician assistants' scope of practice to be within that of their supervising physician. According to the revisions, a physician may enter into supervision agreements with a maximum of four physician assistants, but shall not supervise more than two physician assistants at any one time.

Other changes will require the supervising physician to submit an application for each physician assistant they wish to supervise. A physician who has been supervising a physician assistant may continue supervision and the physician assistant may continue to perform all medical services and procedures that were provided by the physician assistant; however, the supervising physician will be required to submit a new application and any supplemental application by October 15, 2002, as provided in these revisions.

New application forms have been sent to all supervising physicians and must be returned to the KBML office no later than the date noted above. If you need additional information regarding the above please contact the Board's office by calling (502) 429-8046, Extension 228.

Important Reminder - CME Cycle Ends December 31, 2002

Board regulation 201 KAR 9:310 requires all physicians maintaining a current Kentucky medical/osteopathic license to obtain 60 hours of CME for the current three year CME cycle that ends on December 31, 2002. Thirty of these hours must be in Category 1 accredited by the Accreditation Council on Continuing Medical Education or the American Osteopathic Association. Two of the 60 hours must be in an HIV/AIDS course that has been approved by the Kentucky Cabinet for Health Services pursuant to 902 KAR 2:160. The remaining thirty hours can be in either Category I or may consist of non-supervised personal training activities designated as Category 2 CME hours. If information is needed on the HIV/AIDS education course, you may contact the Cabinet for Health Services at 502/564-6539 or you may visit their web site at <http://publichealth.state.ky.us/hiv-aids.htm>.

All primary care physicians who were granted licensure after July 1, 1996, are required by statute to successfully complete an approved three-hour training course in domestic violence within three years of the date of initial licensure. Primary care as defined by KRS 164.925 includes professionals practicing Family/General Practice, General Pediatrics, General Internal Medicine, Emergency Medicine, General Obstetrics/Gynecology, and Preventive Medicine/Public Health. It should be noted that the three-hour domestic violence requirement may be applied toward the total sixty hour CME required for the current cycle. For information on obtaining an approved domestic violence course please contact the Kentucky Medical Association CME department at 502/426-6200.

Final Disciplinary Actions

Raoul O. Alonso, M.D., #16877, Jefferson Co.

Agreed Order of Surrender entered into 04-18-02.

Olen D. Amerson, D.O., #01957, Johnson Co.

Agreed Order of Permanent Surrender entered into 05-31-02.

Berry A. Campbell, M.D., #28208, Fayette Co.

Agreed Order of Suspension; Probation entered into 04-22-02.

Joseph M. Casey, M.D., #22203, Jefferson Co.

Agreed Order of Suspension entered into 06-21-02.

Arthur T. Daus, M.D., #13073, Jefferson Co.

Order of Probation issued 04-19-02.

Robert L. Fulton, M.D., #17038, Jefferson Co.

Agreed Order of Indefinite Restriction entered into 04-04-02.

James Greene Hamilton, M.D., #23075, Durham NC.

Order of Revocation issued 06-17-02. Revocation effective 07-18-02.

E. Gary Hogan, M.D., #17916, Barren Co.

Agreed Order of Indefinite Restriction entered into 06-18-02.

Oliver C. James, M.D., #13663, Shelby Co.

Agreed Order of Indefinite Restriction entered into 06-07-02.

Willie L. Josey, M.D., #23878, Greenup Co.

Agreed Order of Revocation, Stayed; Order of Suspension/Probation entered into 06-14-02.

Aureliano P. Martinez, M.D., #LL298, Campbell Co.

Order of Revocation issued 04-19-02. Revocation effective May 23, 2002.

Gary L. McMillan, M.D., #17992, McCracken Co.

Amended Agreed Order of Revocation, Probated entered into 06-07-02.

Eric A. Norsworthy, M.D., #20834, Ohio Co.

Agreed Order entered into 06-10-02.

Arturo Portales, D.O., #02635, Fayette Co.

Agreed Order of Indefinite Restriction and Fine entered into 05-15-02.

Gopal K. Rastogi, M.D., #19496, Laurel Co.

Amended Agreed Order of Indefinite Restriction issued 06-06-02.

David R. Ringel, M.D., #14506, Jefferson Co.

Agreed Order of Surrender entered into 04-18-02.

Steven E. Thomas, M.D., #31970, Jefferson Co.

Second Order Amending Agreed Order of Indefinite Restriction entered into 05-29-02. Granted request to terminate the Order of Probation, leaving only limitation proposed by Dr. Thomas.

Report From June Board Meeting

The Board meets quarterly with its last meeting being held on June 20, 2002. Multiple items were considered at the meeting. The Board approved 239 applications for full license, 178 applications for residency training licenses, and 63 institutional practice limited licenses. Applications on two physicians were denied.

Some of the topics discussed at the meeting included the licensing of physicians in PGY-1 training, a report on the activities of the Kentucky Physician Health Foundation, a request for certification of Radiology Practitioner Assistants, recommendations from the State Advisory Council on Athletic Trainers and the Physician Assistant Advisory Committee, consideration of guidelines for office-based surgery and anesthesia, modifications to Board policy on the use of lasers and discussion of "over-the-counter" full body CT scans.

The next meeting of the Board is scheduled for September 26, 2002 in Louisville at the Board's headquarter office.

KBML Medical Investigators

There may be a time that you may be called on by one of the investigators as a result of a complaint registered with the Board. Medical investigators employed by the Board are Ms. Betty Prater, Ms. Beth Robertson, Mr. George Stewart, Mr. Eric Tout and Ms. Bonnie Reitz. KBML investigators always carry identification verifying that they are employed by the Board.

If you receive a visit from one of the investigators please feel free to contact the Board's office at (502) 429-8046 to verify their identification.

Kentucky Death Certificate Law

The Office of Vital Statistics would like to remind physicians that due to 2002 legislation, the Kentucky Office of Vital Statistics has been mandated to add questions concerning diabetes to the Kentucky Certificate of Death (VS-1A). The statute change takes effect July 15, 2002. **All death certificates shall have these questions answered. If left unanswered the certificates will be returned to the certifier for completion.**

Effective July 15, 2002, KRS 213.076 will read: (portion underlined is new)

(5) (a) The physician, dentist, chiropractor, or coroner who certifies to the cause of death shall return the certificate to the funeral director, or person acting as such, who, in turn, shall file the certificate directly with the Office of Vital Statistics....

(b) In the case of a death in which diabetes was an immediate, underlying, or contributing cause of or condition leading to death, the physician, dentist, chiropractor, or coroner who certifies to the cause of death shall check "yes" for each of the following questions on the death certificate:

1. **"Did the deceased have diabetes?"; and**
2. **"Was diabetes an immediate, underlying, or contributing cause of or condition leading to death?".**

NEW SECTION

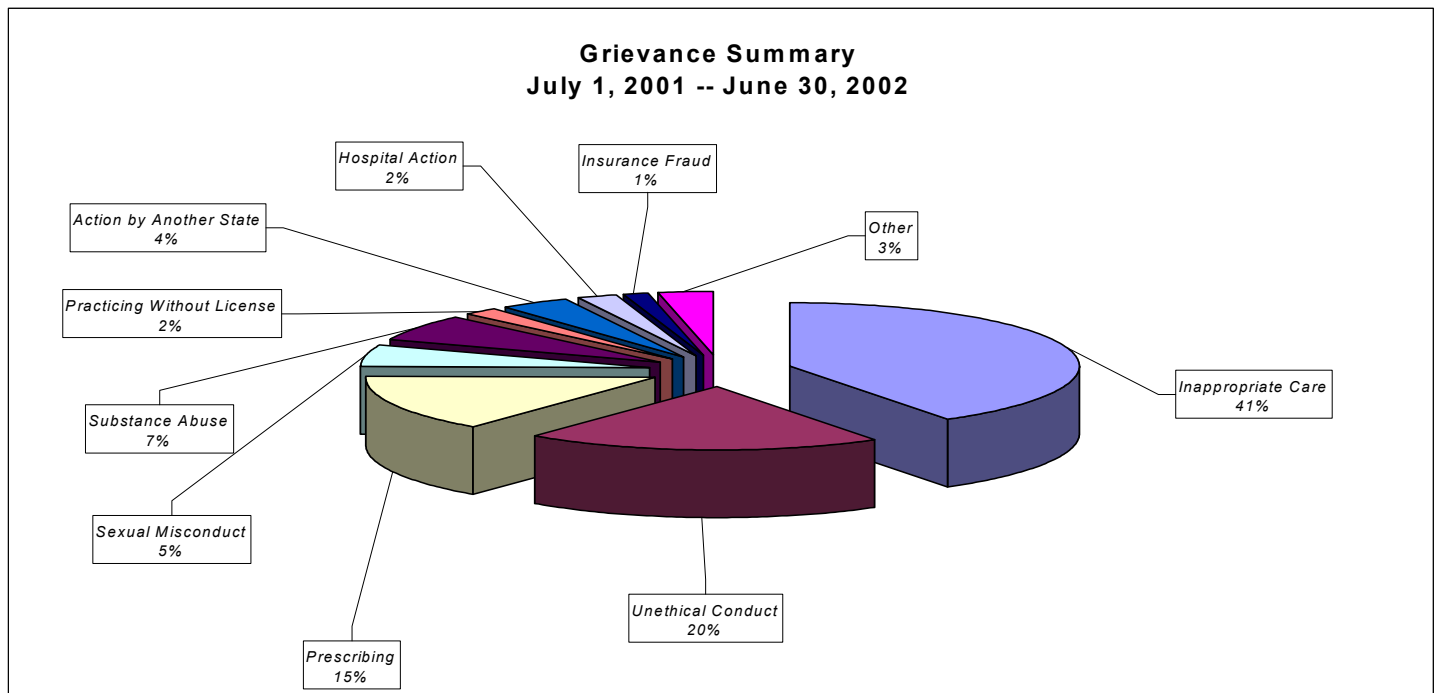
(2) If the person completing the certificate of death fails to answer the questions identified in subsection (1) of this section, the state registrar shall call attention to the defects in the certificate and require the person responsible for the entry to complete or correct it.

The Vital Statistics Office would also like to remind all physicians and coroners that requirements for completing and signing death certificates are governed by law. KRS 213.076 provides that the funeral director **shall** present the death certificate to the medical certifier responsible for the patient's care **within five (5) days of death**. The medical certification **shall** be completed, signed and returned to the funeral director **within five (5) working days of its receipt**, except when inquiry is required by KRS 72.400 to 72.475. For vital records to be used effectively for public health purposes, it is essential that all events be properly recorded and filed timely. Also, individuals and their families may be seriously inconvenienced or denied benefits to which they are entitled if a certificate is not accurately or timely filed.

Questions regarding this notice may be referred to Vital Statistics at 502-564-4212, ext.3980 or 3981, 8:00–4:30, Monday through Friday.

Types of Grievances

The chart below depicts the types of grievances received in the Board's office against physicians practicing in the state during the past fiscal year 2001 – 2002. A total of 266 grievances were received for the fiscal year reflecting an increase of 17% over the previous year.



Kentucky Board of Medical Licensure

Change of Address Notice

Please Note: The information that you provide on this Change of Address Notice will be used to update your profile on the Board's web site at kbml.org.

(Please Print or Type Information)

Date: _____

KY License Number: _____

Name: _____
(last) (first) (m.i.)

Mailing Address: _____
(street)

(city) (state) (zip)

KY Practice County: _____ **Office Telephone:** _____

Practice Address: _____
(street)

(city) (state) (zip)

E-Mail Address: _____

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